

Suggested Reorganization and Amendments to

To

Chapter 700 Rockport Land Use Ordinance

1. The sections and subsections make no sense as the same number is used for several sections or subsections *i.e.* 701 is used three times.
2. This chapter has inconsistent use of “Zoning Board of Appeals”, “Board of Appeals” and “Board.” This is harmonized in the attached redraft.
3. Redundancy – the former subsection 705 about reconsidering a decision substantially overlaps with section 707 dealing with Reapplication of Appeal. As a result the former provision is deleted.
4. In the conditions considered by the Board in section 706, the policy of Rockport with respect to economic development might be added.
5. The Ordinance lacks standards for review of the actions of the Code Enforcement Officer. Language is suggested in section 705 (3).
6. Section 702 (1) refers to the “municipal officer” and could benefit from some specificity, such as Town Manager.
7. In the absence of the Chair of the Board, the Vice Chair should preside that has been added to section 702 (1).
8. Current subsection 703 to section 702 (section 702(3) in the revised draft) is vague in that it allows “every party” to participate in the appeal. The intent, obviously, is to focus on the participants involved in the dispute but others might read it to include any busybody who is seeking a forum. Suggested language is added to section 702(3) making it consistent with limiting the participation to the petitioner, which is consistent with the following subsection..